

**MINUTES OF THE CITY PLANNING COMMISSION  
SPECIAL MEETING  
J. MARTIN GRIESEL ROOM**

**July 25, 2003  
9:00 AM**

**Present:** Appointed Members: Donald Mooney, Caleb Faux, Terry Hankner, Pete Witte, Jackie McCray; Deborah Holston, City Manager's Alternate; Community Development and Planning Staff: Peg Moertl, Director; Skip Forwood, Acting Chief Planner

Mr. Mooney called the meeting to order.

## **MINUTES**

The minutes of June 20, 2003 and July 10, 2003 of the City Planning Commission (CPC) meeting were presented for consideration.

**Motion:** Ms. Hankner moved approval of the minutes.

**Second:** Ms. Holston

**Vote:** All ayes (6-0)

## **CONSENT ITEMS**

### **REPORT AND RECOMMENDATION ON THREE PERMANENT EASEMENTS AND TWO TEMPORARY CONSTRUCTION EASEMENTS THROUGH THE LINWOOD ATHLETIC PLAYFIELDS.**

The Board of County Commissioners of Hamilton County, Ohio authorized the construction of a sanitary sewer separation project to prevent combined sewer overflow within the Linwood Athletic Playfield area during high water flow. In order to begin construction, the MSD must obtain easements through the city owned parcels. The Cincinnati Board of Park Commissioners approved granting the easement. Staff recommends approval.

**REPORT AND RECOMMENDATION ON A PLAT OF DEDICATION FOR SONOMA HILL COURT OF THE SONOMA HILL SUBDIVISION IN MADISONVILLE.**

The Subdivision Improvement Plan for this 30-unit subdivision on 9.6 acres zoned R-2 will be presented to the Planning Commission at the August 22, 2003 meeting. The plat dedicates a 46-foot right-of-way for Sonoma Hill Court; the plat also identifies the required sanitary and storm sewer easements for the Sonoma Hill Subdivision. Staff recommends approval.

**REPORT AND RECOMMENDATION GRANTING A NON-EXCLUSIVE PERMANENT INGRESS AND EGRESS EASEMENT AT 129 WEST ELDER STREET IN OVER-THE-RHINE.**

The project site is on the southwest side of Findlay Market between Elm and Race Streets. In 1996, the city and Michael Luken, the owner of 129 West Elder Street, began negotiations regarding the renovation of the Elder Street properties in conjunction with the redevelopment of Clymer Alley to improve the alley network making it more conducive to retail operations at Findlay Market.

An agreement between the city and the Mr. Luken calls for the city to demolish the rear structure of 129 West Elder Street and grant an easement across the rear 20 feet of the property for fire and vehicular access to the west side of the building at 125 West Elder Street. Mr. Luken would be responsible for site improvements including grading, paving and footings for an angular extension to the west facing dock. Staff recommends authorizing the granting of a non-exclusive permanent ingress and egress easement.

**Motion:** Ms. Hankner moved approval of the consent items.

**Second:** Mr. Faux

**Vote:** All ayes (6-0), motion carries.

## DISCUSSION

### **REPORT AND RECOMMENDATION ON THE SEDAMSVILLE COMMUNITY DEVELOPMENT PLAN.**

Katherine Keough-Jurs, City Planner stated that in 1999 the City Planning Commission approved the Conrail Development Plan. The City Planning Department started the Sedamsville Plan in the fall of 2002.

Diego Jordan, Senior City Planner, Architecture, stated that the community has been involved from the very beginning. Mr. Jordan stated that staff took into consideration the surveys that were done by the community prior to the beginning of the plan identifying the issues and opportunities in the area. The issues and opportunities lead to four basic topics that have specific recommendations and projects in the plan for:

- Urban Design
- Economic Development
- Housing
- Safety

Mr. Jordan stated that Sedamsville is very self-contained, small and attractive community that is close to downtown. Over the last 20 years the community has been in a decline process. Mr. Jordan stated that the community is concerned about the decline and the community's image.

Doug Kohls, 649 Delhi Avenue, 45204, President of the Sedamsville Civic Association stated that the community is excited about the Sedamsville Plan as this plan gives the community the opportunity to reverse the broken window process. Mr. Kohls stated that the community council has started to implement items in the plan such as code enforcement and trashcans that have been brought in with approved NSP funds. Mr. Kohls stated there has been a lot of positive input as to where the community wants to take Sedamsville in the next two years and the next five years.

John Klosterman stated he has been involved with Sedamsville for about 25 years. Mr. Klosterman stated he owns 11 properties in the area and has been waiting 20 years to do something with these properties. Mr. Klosterman stated that this plan is something he has been waiting for many years.

Gerry Baker, 2524 River Road, 45204, stated that she lives in the 2500 block of River Road in a house that was built in 1892. Ms. Baker stated that in 1972 she and her husband decided to stay and renovate and become urban pioneers.

Ms. Baker stated that Sedamsville has many assets such as its location to downtown, its location to the University, views and its accessibility to the expressway that needs to be advertised and marketed. Ms. Baker stated that she likes to sit on her front porch and marvel at the panoramic views. Ms. Baker stated that Sedamsville is surrounded by wooded hills and enjoys two wonderful parks, Mt. Echo and Emschoff Nature Preserve. Ms. Baker would like to see paths leading up to the two parks.

Ms. Baker stated that with the widening of River Road – Phase I, there is now a beautiful wall and sidewalks. She stated that 16 properties were razed with the beginning of Phase II and she discovered views that she didn't know existed.

Ms. Baker hopes that with the encouragement of the city that some urban pioneers will come in and rehab the big old houses that exist in Sedamsville. Ms. Baker would like to make Sedamsville a destination and not a through community.

Nick Cook, moved in two years ago next to Ms. Baker because of its proximity to downtown and parks, its sweeping views, inexpensive housing. Sedamsville's owner-occupancy has dropped dramatically and there is an aging housing stock. Mr. Cook stated that Sedamsville now has a living document and the community is looking to network with partners.

Regine Gordon, 617 Steiner, 45204 stated she is with Santa Maria, the neighborhood support organization. Ms. Gordon stated that Santa Maria fully supports the plan and encourages the city to adopt the plan.

**Motion:** Ms. Hankner moved approval to adopt the plan.

**Second:** Ms. Holston

**Vote:** All ayes (6-0), motion carries.

### **REPORT AND RECOMMENDATION ON THE SALE OF A PORTION OF CARNEY STREET IN MT. ADAMS.**

Mr. Mooney stated that the Solicitor's Office has determined that the city has no legal obligation to transfer the property as the property was purchased with no practical access. Mr. Mooney stated that he received a letter from Mr. Koenig disputing the solicitor's opinion and expressing his reasons for the dispute.

Peter E. Koenig, 105 E. Fourth Street, Suite 300, 45202 stated that a request for a coordinated report was filed on August 3, 2001 requesting the vacation of a portion of Carney Street and/or grant a revocable street permit for vehicular access to hillside lots. Mr. Koenig stated that two years ago, the city administration made the decision to sell the property.

Mr. Mooney stated that the property was purchased knowing there was no practical access and the city has not imposed any additional restrictions on access since the property was purchased.

Mr. Koenig stated that in the state of Ohio property owners are entitled to access to their property. Mr. Koenig stated that if City Council votes to deny the sale and/or access, the property would be a regulatory taking of the property.

Mr. Faux stated that previously he had made a motion that the sale not proceed and the motion was on the table pending receipt of an opinion from the Solicitor's Office.

**Motion:** Ms. Hankner moved to disapprove the sale of the property.

**Second:** Ms. McCray

**Vote:** Ayes (5-0), (Ayes: Faux, Hankner, Witte, McCray; Holston;  
Abstain: Mooney)

## ADJOURNMENT

With no further business to consider, the meeting was adjourned.

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Margaret M. Moertl, Director  
Community Development & Planning

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Donald J. Mooney, Chairman  
City Planning Commission

Date:\_\_\_\_\_

Date:\_\_\_\_\_